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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILLIAM BLACKBURN, BRAD
MICKELSEN,

Plaintiffs,

vs.

GROWLIFE, INC., a Delaware corporation,
et al.,

Defendants.

Case No.: 2:20-cv-01855-MCE-CKD

**JOINT STIPULATION REQUESTING
DISMISSALS WITHOUT PREJUDICE
BETWEEN PLAINTIFF BLACKBURN
AND GROWLIFE ONLY**

Judge: Hon. Morrison C. England, Jr.

JOINT STIPULATION OF DISMISSAL

Having reached a settlement of the issues between them, Plaintiff and Cross-Defendant WILLIAM BLACKBURN (“Blackburn”) and Defendant and Counterclaimant GROWLIFE, INC. (“GrowLife”) (collectively, the “Parties”), submit this Joint Stipulation Requesting Dismissal with Prejudice (“Stipulation”) of all claims, counterclaims, and defenses asserted in the above-entitled action by Plaintiff and Cross-Defendant Blackburn against Defendant and Counterclaimant GrowLife, and also all claims and defenses asserted in the above-entitled action by Defendant and Counterclaimant GrowLife as against Plaintiff and Cross-Defendant Blackburn only. To avoid doubt, the settlement between Blackburn and GrowLife is the result of a mutual compromise of disputed issues and does not include any admission by either Blackburn or GrowLife on any factual or legal issues. Accordingly, the Parties intend that this Stipulation not dismiss, limit, or affect

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1 rights, claims, or defenses made by or against Plaintiff and Cross-Defendant Brad Mickelsen. Both
2 Parties agree the dismissals without prejudice are made prejudicial as between the Parties only by
3 reason of the mutual and general releases signed by the Parties in a separate Settlement Agreement.

4 Accordingly, Blackburn and GrowLife hereby request that the Court enter an order
5 dismissing Blackburn's Complaint against GrowLife, and also dismissing GrowLife's Counterclaim
6 against Blackburn, both dismissals without prejudice in order to preserve all claims and defenses of
7 Blackburn and GrowLife relating to Mickelsen, including the ongoing action between GrowLife
8 and Mickelsen. At such time that the entire above-captioned action as to all parties reaches a final
9 determination, the Parties will request entry of dismissal with prejudice. Both Parties agree to bear
10 their own fees and costs in connection with their claims and counterclaims against each other.

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12 Dated: January 30, 2023

REYNOLDS TILBURY WOODWARD LLP

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14 By: /s/ Treven Tilbury
15 TREVEN I. TILBURY
Attorneys for Plaintiff WILLIAM BLACKBURN

16 Dated: January 30, 2023

LOCKETT & HORWITZ

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18 By: /s/ Bernard C. Jasper as authorized 1/27/23
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ORDER

The Court hereby orders as follows:

1. Blackburn's Complaint against GrowLife is DISMISSED, without prejudice;
2. GrowLife's Counterclaim against Blackburn, only, is DISMISSED, without prejudice;
3. All claims and defenses of Blackburn and GrowLife relating to Mickelsen, including the ongoing action between GrowLife and Mickelsen are not dismissed or otherwise affected;
4. Upon the remainder of the above-entitled action reaching a final determination, Blackburn and GrowLife shall take steps necessary to convert the dismissals without prejudice to dismissals with prejudice.
5. Both GrowLife and Blackburn shall bear their own fees and costs in connection with the above-entitled action.
6. This action shall proceed on the remaining claims.

IT IS SO ORDERED.

Dated: February 1, 2023


MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE